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PATENT
Atty. Docket No.: A-70298-3/RMS/DCF
Atty. File No.: 467802-00146

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Examiner: David Guzo

MILES *et al.*

Group Art Unit: 1636

Serial No.: 09/724,380

Filed: November 28, 2000

For: **METHODS FOR SELECTIVE
INACTIVATION OF VIRAL
REPLICATION**

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231

Dated: 8/28/02

Signed: Fern S. Marder

Fern S. Marder

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

This communication is responsive to the final Office Action dated May 28, 2002, in the above-captioned application. Applicants respectfully request consideration of the remarks submitted herewith, entry of the requested amendments, and withdrawal of the rejections made in the Office Action. Applicants submit that the amendments contain no new matter and put the claims in form for allowance or better form for appeal. Applicants believe no additional fees are due with this response. However, the Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 50-2319 (Our Order No. A-70298-3 RMS/DCF - 467802-00146).

IN THE CLAIMS:

Please amend Claim 3, and cancel Claim 17, without prejudice.

3. **(Twice Amended)** A method of screening for a nucleic acid capable of inhibiting translation of a nucleic acid sequence containing an IRES wherein said nucleic acid